



Entered on Docket  
April 21, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>  
Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SIXTH  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED, IN WHOLE OR IN PART,  
UPON INVESTMENT IN THE  
HASLEY CANYON LOAN**

Hearing Date: April 17, 2008  
Hearing Time: 10:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

Pending before the Court is the USACM Liquidating Trust's Sixth Omnibus Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon Investment in the Hasley Canyon Loan (the "Objection") [DE 5922]. Adequate notice of the Objection was given. The Court heard the Objection on April 17, 2008. No responses were filed to the Objection and no opposition was raised at the hearing. Good cause appearing,

IT IS ORDERED:

- Sustaining the Objection;
- Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they are based upon an investment in the Hasley Canyon Loan. The Proofs of Claim listed in Exhibit A are not affected by this order to the extent they are based upon an investment in a loan(s) other than the Hasley Canyon Loan; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to the Proofs of Claim listed on Exhibit A attached.

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PREPARED AND SUBMITTED:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

**HASLEY CANYON  
Multiple Loan Claims**

**EXHIBIT A  
SIXTH OMNIBUS OBJECTION**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Hasley Canyon Loan</b>
<b>10725-02088</b>	Robert W. Ulm Living Trust Dtd. 4/11/05	Robert W. Ulm Ttee 414 Morning Glory Road St. Marys, GA 31558	\$688,165.00	\$150,000.00
<b>10725-02089</b>	Robert W. Ulm	414 Morning Glory Road St. Marys, GA 31558	Contingent	Contingent
<b>10725-02481</b>	Tobias Von Euw Revocable Trust Dated 11/23/04	c/o Tobias Von Euw Trustee 2448 Lark Sparrow Street Las Vegas, NV 89084	\$1,468,967.93	\$25,000.00
<b>10725-01365</b>	Richard G. Vrbancic	103 Willow Brook Drive N.E. Warren, OH 44483-4630	\$270,000.00	\$25,000.00
<b>10725-02015</b>	Mike Wagon	c/o Laurel E. Davis Lionel Sawyer & Collins 300 S. Fourth St., Suite 1700 Las Vegas, NV 89101	\$450,000.00	\$300,000.00